

(PCT Article 36 and Rule 70)

|   |                                   |
|---|-----------------------------------|
| Date of submission of the demand        | Date of completion of this report |
| Name and mailing address of the IPEA/EP | Authorized officer                |
| Facsimile No.                           | Telephone No.                     |

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/052118

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1, 3-5 as originally filed/furnished
- pages\* 2, 2a received by this Authority on 28.06.2005 with letter of 27.06.2005
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. 2-7 as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1 received by this Authority on 28.06.2005 with letter of 27.06.2005
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- sheets 1/2, 2/2 as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/052118

| Box No. V   | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |     |     |
|---|---|-----|-----|
| 1. Statement  |   |     |     |
| Novelty (N)   | Claims  | 1-7 | YES |
|   | Claims  |     | NO  |
| Inventive step (IS)   | Claims  | 1-7 | YES |
|   | Claims  |     | NO  |
| Industrial applicability (IA)   | Claims  | 1-7 | YES |
|   | Claims  |     | NO  |
| 2. Citations and explanations (Rule 70.7)   |   |     |     |
| <b>Prior art:</b> US-A-4 261 477.   |   |     |     |
| <p>The above document discloses a fuel container having at least one chamber in its upper area, according to the preamble of claim 1.</p>   |   |     |     |
| <p>The subject matter of claim 1 differs from the above prior art in that the chamber can take up a volume of fuel when it is positioned at an angle, and is therefore novel.</p>   |   |     |     |
| <p>The problem to be solved can be considered that of preventing fuel from penetrating into a ventilation hole when the container is at an angle.</p>   |   |     |     |
| <p>The fuel container according to claim 1 solves this problem by virtue of the fact that when it is positioned at an angle the chamber takes up a volume of fuel, such that the level of fuel drops, and is therefore inventive.</p> |   |     |     |
| <p>Claims 2-7 contain the features of claim 1 and are therefore likewise novel and inventive.</p>   |   |     |     |

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

Industrial applicability in the field of vehicle  
manufacture is clearly established.